

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOSEPH SELBY,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 07-558-SLR
)	
C.M.S. and JIM WELCH,)	
)	
Defendants.)	

ORDER

At Wilmington this ^{14th} day of June, 2008, having reviewed plaintiff's letter/motion for reconsideration;

IT IS ORDERED that the motion (D.I. 9) is **denied**, for the reasons that follow:

1. Plaintiff filed a civil rights complaint alleging deliberate indifference to his serious medical needs. (D.I. 2) On February 19, 2008, the court dismissed the complaint for failure to state a claim and as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A(b)(1). (D.I. 8)
2. Plaintiff mistakenly believes that the case was dismissed for his failure to return an authorization form and asks that the case be reopened. (D.I. 9) On November 13, 2007, the case was dismissed for failure to timely return an authorization form. (D.I. 5) However, it was reopened following plaintiff's submission of the required form. (D.I. 7) Following the reopening of the case, the complaint was screened pursuant to 28 U.S.C. § 1915A.
3. Plaintiff's has not shown (1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court issued its order; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.

Max's Seafood Café v. Quinteros, 176 F.3d 669, 677 (3d Cir. 1999). Therefore, he has not demonstrated any of the grounds necessary to warrant reconsideration.


UNITED STATES DISTRICT JUDGE